

S. B. Civil Misc. Restoration Appl. No. 760/2012.

in

S. B. Civil Second Appeal No. 818/2011.

Date of order : 21.12.2012.

HON'BLE MR. JUSTICE PREM SHANKER ASOPA

Dr. PC Jain, for the defendant-appellant.
Mr. Raj Kamal Gaur, for the plaintiff-respondent.

Heard learned counsel for the parties on the restoration application.

Submission of the learned counsel for the defendant-appellant is that the on 21.8.2012, the case was listed in Court No. 11 and he had to go out of station suddenly, therefore, he requested Smt. Mamta, Advocate to attend the case but she became busy in another Court, therefore, she could not attend the appeal and the appeal has been dismissed in default.

Learned counsel for the plaintiff-respondent submits that Court may pass appropriate order.

Having considered the aforesaid submissions of the parties, I find justified reason of the learned counsel for the defendant-appellant to not attend the Court on 21.8.2012, therefore, the restoration application stands allowed and the appeal is restored to its original number.

(PREM SHANKER ASOPA), J.

N. Gandhi
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“All corrections made in the judgment/order have been incorporated in the judgment/order being emailed.”

**Naval Kishore Gandhi
Jr. PA**